



**PROPOSED RULE MAKING  
(RCW 34.05.320)**

**CR-102 (7/22/01)**  
**Do NOT use for expedited  
rule making**

Agency: **PDC**

- ☒ Preproposal Statement of Inquiry was filed as WSR 01-16-127 ; or  
☐ Expedited Rule Making -- Proposed notice was filed as WSR \_\_\_\_\_; or  
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice  
☐ Supplemental Notice  
to WSR \_\_\_\_\_  
☐ Continuance of WSR \_\_\_\_\_

(a) Title of rule: (Describe Subject) Title 390 WAC -- Rules to implement electronic filing mandate for candidates and political committees.

Purpose: To implement RCW 42.17.3691.

Other identifying information:

(b) Statutory authority for adoption: RCW 42.17.370(1) & 42.17.080(10)

Statute being implemented: RCW 42.17.3691

(c) Summary: Beginning in 2002, all candidates and political committees, including ballot measure committees, who expend \$25,000 or more in 2001, or expect to spend \$25,000 or more during 2002, will be required to submit campaign finance reports electronically. The proposed rules represent the first step in implementing the statutory requirement and include five new rules and the repeal of one existing rule. The new rules address intent, mandatory filing, reporting threshold, verification and amendments and exceptions.

Reasons supporting proposal: The proposed rules provide guidance to filers required to file reports electronically.

(d) Name of Agency Personnel Responsible for:	Office Location	Telephone
1. Drafting.....Doug Ellis	PDC 711 Capitol Way, Rm 206, Olympia	(360) 664-2735
2. Implementation.... Doug Ellis	PDC 711 Capitol Way, Rm 206, Olympia	(360) 664-2735
3. Enforcement..... Phil Stutzman	PDC 711 Capitol Way, Rm 206, Olympia	(360) 664-8853

(e) Name of proponent (person or organization): Public Disclosure Commission

- ☐ Private  
☐ Public  
☒ Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters:  
None

(g) Is rule necessary because of:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, ATTACH COPY OF TEXT

Citation:

(h) HEARING LOCATION:

Commission Hearing Room  
Evergreen Plaza Building  
711 Capitol Way, Room 206  
Olympia, WA

Date: October 23, 2001 Time: 9:00 a.m.

Assistance for persons with disabilities: Contact  
Ruthann Bryant by Telephone

TDD ( ) \_\_\_\_\_ or (360) 753-1111

NAME (TYPE OR PRINT)

Vicki Rippie

SIGNATURE

TITLE

Executive Director

DATE

9/10/01

Submit written comments to:

Doug Ellis (dellis@pdc.wa.gov)  
Public Disclosure Commission  
PO Box 40908  
Olympia, WA 98504-0908  
FAX (360) 753-1112 By (date) October 19, 2001

DATE OF INTENDED ADOPTION: October 23, 2001

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(COMPLETE REVERSE SIDE)

(j) Short explanation of rule, its purpose, and anticipated effects:

RCW 42.17.3691(1) reads:

Beginning January 1, 2002, each candidate or political committee that expended twenty-five thousand dollars or more in the preceding year or expects to expend twenty-five thousand dollars or more in the current year shall file all contribution reports and expenditure reports required by this chapter by the electronic alternative provided by the commission under RCW 42.17.369. The commission may make exceptions on a case-by-case basis for candidates whose authorized committees lack the technological ability to file reports using the electronic alternative provided by the commission.

The proposed rules are designed to implement the statute and give guidance to candidates and political committees required to file campaign finance reports electronically beginning January 1, 2002 and to repeal the reference regarding electronic filing by gubernatorial candidates since the mandates in RCW 42.17.3691 encompass all candidates including the gubernatorial candidates.

Does proposal change existing rules? ☒ YES ☐ NO

If yes, describe changes:

The proposed rule change would repeal WAC 390-16-190.

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by writing to:

telephoning: (     )

faxing: (     )

☒ No. Explain why no statement was prepared

The implementation of these rules does not impact small businesses.

(l) Does RCW 34.05.328 apply to this rule adoption? ☐ Yes ☒ No

Please explain:

The PDC is not an agency listed in subsection (5)(a)(i) of section 201. Further, the PDC does not voluntarily make section 201 applicable to this rule adoption pursuant to subsection (5)(a)(ii) of section 201, and to date JARRC has not made section 201 applicable to this rule adoption.

## **Chapter 390-19 WAC**

### **ELECTRONIC FILING**

#### **NEW SECTION**

**WAC 390-19-010 Intent of electronic filing.** (1) The public disclosure commission (PDC) was created and empowered by initiative of the people to provide timely and meaningful public access to information about the financing of political campaigns, lobbyist expenditures, and the financial affairs of public officials and candidates, and to insure compliance with contribution limits and other campaign finance restrictions.

(2) Full and prompt access to the political finance data filed by persons subject to the law is best realized through wide-spread use of electronic filing alternatives. The Washington state legislature has mandated that certain filers submit their PDC reports electronically. The commission encourages all persons required to report under the disclosure law to utilize the electronic filing alternatives provided by the PDC.

#### **NEW SECTION**

**WAC 390-19-020 Electronic filing--Mandatory filing.** (1) RCW 42.17.3691 mandates that persons satisfying the qualifying criteria in that section file all contribution and expenditure reports by electronic means.

(2) Persons filing by electronic means shall register with the PDC and receive a filer identification number and password. Filers must have a current C-1 Candidate Registration Statement or a C-1pc Committee Registration Statement with original signature on file with the PDC prior to receiving a filer identification number. Forms C-1 and C-1pc may not be filed electronically.

(3) A filer subject to RCW 42.17.3691 shall file all PDC C-3 and C-4 reports and all appropriate schedules electronically in compliance with subsection (5) of this section.

(4) Any filer required to file electronically, but who files on paper, is in violation of RCW 42.17.3691 and may be subject to enforcement action unless the filer is a candidate who has sought